

1      **REESE LLP**

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10     *Counsel for Plaintiffs*

11     *Kerry Lamons, David Tulchinsky, Dhaman Gill and Tyrell Brown*

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13     **IN THE UNITED STATES DISTRICT COURT**  
14     **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

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16     IN RE: 23ANDME, INC. CUSTOMER DATA  
17     SECURITY BREACH LITIGATION

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19     Case No. 3:24-md-3098-EMC

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21     **DECLARATION OF MICHAEL R. REESE**  
22     **IN SUPPORT OF MOTION TO APPOINT**  
23     **SETTLEMENT COUNSEL OR**  
24     **INTERIM CO-LEAD CLASS COUNSEL**  
25     **PURSUANT TO FEDERAL RULE OF**  
26     **CIVIL PROCEDURE 23(G)**

1 I, Michael R. Reese, hereby declares, pursuant to 28 U.S.C. § 1746, that I am fully  
 2 competent to make this Declaration, that I have personal knowledge of all matters set forth herein  
 3 unless otherwise indicated, and that I would testify to all such matters if called as a witness in this  
 4 matter.

5 1. I am the founder and managing partner of Reese LLP, a firm I started in 2008 to  
 6 represents plaintiffs in class action litigation. Prior to starting Reese LLP, I was a partner at a  
 7 nationwide plaintiffs' class action litigation firm. Prior to entering private practice in 2000, I was  
 8 a prosecutor at the Manhattan District Attorney's Office, where I tried before judge and jury violent  
 9 felony and white collar crimes. I am a member of both the state bars of California and New York,  
 10 as well as numerous federal courts. I have been a member of the bar of the Northern District of  
 11 California since 2000.

12 2. I am counsel for plaintiffs Kerry Lamons, David Tulchinsky, Dhaman Gill, and  
 13 Tyrell Brown in this MDL action. I make this declaration in support of the motion for appointment  
 14 of myself, Laura van Note, and Ryan Clarkson as Settlement Counsel to continue the work we  
 15 have been doing since January 2024 to secure a settlement on behalf of class members. We also  
 16 seek appointment as Co-Lead Counsel pursuant to Rule of Civil Procedure 23(g).

17 3. I, along with Laura van Note and Ryan Clarkson, organized settlement negotiations  
 18 with defendant, which have resulted in two in-person mediations before mediator Randall Wulff.  
 19 The first mediation occurred on January 31, 2024 and was attended by over 25 plaintiffs' attorneys,  
 20 and the second mediation occurred on March 20, 2024 attended by six plaintiffs' attorneys.  
 21 Considerable progress towards a resolution has occurred, and settlement negotiations are on-going.

22 4. I have been the principal spokesperson for plaintiffs and the putative class in these  
 23 settlement discussions with Defendant and the mediator.

24 5. As part of the on-going mediation process, Defendant provided confidential  
 25 information to us that has helped informed our decision-making process.

26 6. Additionally, we have retained and consulted with experts to assisted us with the  
 27 mediation and negotiation.

1       7. We also have worked closely with Norm Siegel, Anderson Berry and Gayle Blatt,  
2 who are counsel representing various plaintiffs in this matter, in the settlement negotiations and  
3 would continue to work with them if appointed as Settlement Counsel or Class Counsel. These  
4 attorneys attended both the first day of in-person mediation on January 31, 2024, as well the second  
5 day of in-person mediation on March 20, 2024.

6        8. I have considerable experience in MDL leadership. Most recently, I have been  
7 appointed as co-lead counsel in several MDLs, including, but not limited to *In re Seresto Flea and*  
8 *Tick Collar Marketing, Sales Practices and Products Liability Litig.*, Master Case No. 1:21-cv-  
9 04447 (N.D. Ill.); *In re Fairlife Milk Products Marketing and Sales Practices Litig.*, Master Case  
10 No. 1:19-cv-03924 (N.D. Ill.); and, *In re Hills Pet Nutrition Sales and Marketing and Products*  
11 *Liability Litig.*, No. 2:19-md-02887-JAR-TJJ (D. Kansas). These cases have all settled, achieving  
12 significant relief for class members.

13       9. I also have considerable experience in cases involving data breach, including, but  
14 not limited to, co-leadership appointment in *In re LastPass Data Securtiy Incident Litigation*, No.  
15 1:22-cv-12047-PBS (D. Mass).

16        10. My firm and I have the resources and time necessary to be effective Class Counsel  
17 in this matter. We have already invested time and money on the settlement negotiations, including  
18 paying for two productive sessions of mediation and the retention of experts. Finally, I will work  
19 closely with my partner Sue Jung Nam on this matter, who has considerable experience as counsel  
20 for public companies, including being the General Counsel of a public company that successfully  
21 navigated financial distress by selling assets, delisting, and deregistering.

11. Attached hereto as **Exhibit A** is a copy of the firm resume for Reese LLP.

23       12. Attached hereto as **Exhibit B** is a copy of the firm resume for Cole & Van Note,  
24 Attorneys at Law.

25           13. Attached hereto as **Exhibit C** is a copy of the firm resume for Clarkson Law Firm,  
26 P.C.

14. Attached hereto as **Exhibit D** is a proposed case management plan.

I declare under penalty of perjury that the above and foregoing are true and accurate.

Executed this 19th day of April 2024 at Los Angeles, California.

*/s Michael R. Reese*  
Michael Reese

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3 **EXHIBIT A**  
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**REESE LLP**

Reese LLP represents consumers in a wide array of class action litigation throughout the nation. The attorneys of Reese LLP are skilled litigators with years of experience in federal and state courts. Reese LLP is based in New York, New York with offices also in California and Minnesota.

Recent and current cases litigated by the attorneys of Reese LLP on behalf of consumers include the following:

*In re Fairlife Milk Products Marketing and Sales Practices Litig.*, case no. 1:19-cv-03924 (N.D. Illinois)(case involving milk products allegedly mislabeled); *In re Hill's Pet Nutrition, Inc. Dog Food Products Liability Litig.*, case no. 19-md-2887-JAR-TT (D. Kansas)(case involving contaminated pet food); *Hasemann v. Gerber Products Co.*, case no. 15-cv-02995-MKB-RER (E.D.N.Y.)(case involving misrepresentation of health benefits of baby formula in violation of New York consumer protection laws); *Worth v. CVS Pharmacy, Inc.*, case no. 16-cv-00498 (E.D.N.Y.)(class action for alleged misrepresentations regarding health benefits of dietary supplement); *Roper v. Big Heart Pet Brands, Inc.*, case no. 19-cv-00406-DAD (E.D. Cal.)(class action regarding pet food); *Ackerman v. The Coca-Cola Co.*, 09-CV-0395 (JG) (RML) (E.D.N.Y.)(class action for violation of California and New York's consumer protection laws pertaining to health beverages); *Rapaport-Hecht v. Seventh Generation, Inc.*, 14-cv-9087-KMK (S.D.N.Y.)(class action for violation of California and New York's consumer protection laws pertaining to personal care products); *Berkson v. GoGo, LLC*, 14-cv-1199-JWB-LW (E.D.N.Y.)(class action regarding improper automatic renewal clauses); *Chin v. RCN Corporation*, 08-cv-7349 RJS (S.D.N.Y.)(class action for violation of Virginia's consumer protection law by I.S.P. throttling consumers' use of internet); *Bodoin v. Impeccable L.L.C.*, Index. No. 601801/08 (N.Y. Sup. Ct.)(individual action for conspiracy and fraud); *Huyer v. Wells Fargo & Co.*, 08-CV-507 (S.D. Iowa)(class action for violation of the RICO Act pertaining to mortgage related fees); *Murphy v. DirecTV, Inc.*, 07-CV-06545 FMC (C.D. Cal.)(class action for violation of California's consumer protection laws); *Bain v. Silver Point Capital Partnership LLP*, Index No. 114284/06 (N.Y. Sup. Ct.)(individual action for breach of contract and fraud); *Siemers v. Wells Fargo & Co.*, C-05-4518 WHA (N.D. Cal.)(class action for violation of § 10(b) of the Securities Exchange Act of 1934 pertaining to improper mutual fund fees); *Dover Capital Ltd. v. Galvex Estonia OU*, Index No. 113485/06 (N.Y. Sup. Ct.)(individual action for breach of contract involving an Eastern European steel company); *All-Star Carts and Vehicles Inc. v. BFI Canada Income Fund*, 08-CV-1816 LDW (E.D.N.Y.)(class action for violation of the Sherman Antitrust Act pertaining to waste hauling services for small businesses on Long Island); *Petlack v. S.C. Johnson & Son, Inc.*, 08-CV-00820 CNC (E.D. Wisconsin)(class action for violation of Wisconsin consumer protection law pertaining to environmental benefits of household cleaning products); *Wong v. Alacer Corp.*, (San Francisco Superior Court)(class action for violation of California's consumer protection laws pertaining to deceptive representations regarding health benefits of dietary supplement's ability to improve immune system); *Howerton v. Cargill, Inc.* (D. Hawaii)(class action for violation of various consumer protection laws regarding sugar substitute); *Yoo v. Wendy's International, Inc.*, 07-CV-04515 FMC (C.D. Cal.)(class action for violation of California's consumer protection laws pertaining to adverse health effects of partially hydrogenated oils in popular food products).

**Michael R. Reese**

Mr. Reese is the founding partner of Reese LLP where he litigates consumer protection class actions. Prior to entering private practice, Mr. Reese served as an assistant district attorney at the Manhattan District Attorney's Office where he served as a trial attorney prosecuting violent and white-collar crime.

Victories by Mr. Reese and his firm include a \$21 million class settlement in *In re Fairlife Milk Products Marketing and Sales Practices Litig.*, case no. 1:19-cv-03924-RMD (N.D. Illinois); a \$12.5 million dollar class settlement in *In re Hill's Pet Nutrition, Inc. Dog Food Products Liability Litig.*, case no. 19-md-2887-JAR-TT (D. Kansas) for pet owners who bought contaminated pet food; a \$6.1 million class action settlement in *Howerton v. Cargill, Inc.* (D. Hawaii) for consumers of Truvia branded sweetener; a \$6.4 million class action settlement in the matter of *Wong v. Alacer Corp.* (S.F. Superior Court) for consumers of Emergen-C branded dietary supplement; and, a \$25 million dollar settlement for mortgagees in *Huyer v. Wells Fargo & Co.* (S.D. Iowa).

Mr. Reese and his firm are frequently appointed as co-lead counsel in multi-district litigations, including, but not limited to *In re Fairlife Milk Products Marketing and Sales Practices Litig.*; case no. 1:19-cv-03924-RMD (N.D. Illinois); *In re Hill's Pet Nutrition, Inc. Dog Food Products Liability Litig.*, case no. 19-md-2887-JAR-TT (D. Kansas); *In re Vitaminwater Sales and Marketing Practices Litig.*, case no. 11-md-2215-DLI-RML (E.D.N.Y.); and, *In re Frito-Lay N.A. "All-Natural" Sales & Marketing Litig.*, case no. 12-md-02413-RRM-RLM (E.D.N.Y.).

Mr. Reese is a frequent lecturer and author on issues of class actions. Mr. Reese co-hosts an annual two day conference with Professor Michael Roberts of UCLA that includes panels on class action litigation; presents on class action litigation at the annual conference of the Consumer Brands Association; and, presents regularly at the Union Internationale des Advocats Annual Congress.

Recent articles on class actions appear in publications by the American Bar Association; the Union Internationale des Advocats; and the Illinois State Bar Association.

Mr. Reese is also an executive committee member of the Plaintiffs' Class Action Roundtable, where he lectures on an annual basis on issues related to class actions.

Mr. Reese is a member of the state bars of New York and California as well as numerous federal district and appellate courts. Mr. Reese received his juris doctorate from the University of Virginia in 1996 and his bachelor's degree from New College in 1993.

**Sue J. Nam**

Ms. Nam is based in New York where she focuses on consumer class actions. Ms. Nam also runs the appellate practice at the firm and has represented clients before the Second and Ninth Circuits, as well as The Court of Appeals in New York. Ms. Nam also specialized in copyright law and represents photographers and other visual artists who have had their copyright protected works infringed.

Prior to joining the firm, Ms. Nam was the General Counsel for NexCen Brands, Inc., a publicly traded company that owned a portfolio of consumer brands in food, fashion and homeware.

Previously, Ms. Nam was Intellectual Property Counsel and Assistant Corporate Secretary at Prudential Financial, Inc., and she was an associate specializing in intellectual property and litigation at the law firms of Brobeck Phleger & Harrison LLP in San Francisco, California and Gibson Dunn & Crutcher LLP in New York, New York.

Ms. Nam clerked for the Second Circuit prior to joining private practice.

Ms. Nam received her juris doctorate from Yale Law School in 1994. She received a bachelor's degree with distinction from Northwestern University in 1991.

**Carlos F. Ramirez**

Mr. Ramirez is an accomplished trial attorney based in New York, where he focuses his practice on the litigation of consumer class actions. Prior to entering private practice in 2001, Mr. Ramirez served as an Assistant District Attorney at the Manhattan District Attorney's Office where he served as a trial attorney prosecuting both violent and white-collar crimes.

Previous and current consumer fraud class actions litigated by Mr. Ramirez include *Hasemann v. Gerber Products Co.*, case no. 15-cv-02995-MKB-RER (E.D.N.Y.) (case involving misrepresentation of health benefits of baby formula in violation of New York consumer protection laws); *Coe v. General Mills, Inc.*, No. 15-cv-5112-TEH (N.D. Cal.) (involving false advertisement claims relating to the Cheerios Protein breakfast cereal); *In re Santa Fe Natural Tobacco Company Marketing & Sales Practices Litigation*, 16-md-2695-JB/LF (D.N.M.) (involving the deceptive marketing of cigarettes as "natural" and "additive free"); and, *Lamar v. The Coca-Cola Company, et al.*, No. 17-CA-4801 (D.C. Superior Ct.) (involving the deceptive marketing of sugar drinks as safe for health).

Mr. Ramirez is a member of the state bars of New York and New Jersey. He is also a member of the bars of the U.S. District Courts for the Eastern District of New York and Southern District of New York. Mr. Ramirez received his juris doctorate from the Fordham University School of Law in 1997 and his bachelor's degree from CUNY-Joh Jay College in 1994.

## **George V. Granade II**

Mr. Granade is a partner at Reese LLP based in Los Angeles, California, where he focuses on consumer class actions. Settlements to which Mr. Granade has made substantial contributions include the class action settlement of *Chinitz v. Intero Real Estate Services*, No. 5:18-cv-05623-BLF (N.D. Cal.), a Telephone Consumer Protection Act case, which made cash awards of \$350 apiece available to class members who used a total of 37,962 unique telephone numbers over an approximately 7.5-year period; the \$12.5 million class action settlement of *In re: Hill's Pet Nutrition, Inc. Dog Food Products Liability Litigation*, No. 2:19-md-02887-JAR-TJJ (D. Kan.); the class action settlement of *Chinitz v. Telecom Evolutions, LLC*, No. 18STCV08068 (Cal. Super. Ct. Los Angeles Cty.); the \$3 million class action settlement of *Holve v. McCormick & Co.*, No. 6:16-cv-06702-FPG (W.D.N.Y.); the individual settlement of *Tri-State Water Treatment, Inc. v. Bauer*, No. 15-SC-1407 (Ill. Cir. Ct. Madison Cty.), which included putative class action counterclaims; the class action settlement of *Berkson v. Gogo LLC*, No. 1:14-cv-01199-JBW-LB (E.D.N.Y.); and the class action settlement of *Barron v. Snyder's-Lance, Inc.*, No. 0:13-cv-62496-JAL (S.D. Fla.).

Mr. Granade also played a key role in litigation victories including certification of two nationwide classes and denial of the defendants' motion for summary judgment and *Daubert* motion in *Bumpus v. Realogy Holdings Corp.*, No. 3:19-cv-03309-JD (N.D. Cal.), a Telephone Consumer Protection Act case; denial in part of the defendant's motion to dismiss and denial of its motion to transfer venue in *Shirley v. Reynolds Consumer Products LLC*, No. 1:22-cv-00278 (N.D. Ill.); denial of the defendant's motion to dismiss in *Corpuz v. Bayer Corp.*, No. 3:22-cv-01085-MMA-JLB (S.D. Cal.); denial in part of the defendants' motion to dismiss in *Rankin v. Arca Continental S.A.B. de C.V.*, No. 1:20-cv-01756-ENV-TAM (E.D.N.Y.); denial in part of the defendant's motion to dismiss in *Adler v. Altsleep, LLC*, No. 2:22-cv-05854 (C.D. Cal.); and denial of the defendant's motion to dismiss in *Tucker v. Post Consumer Brands, LLC*, No. 4:19-cv-03993-YGR (N.D. Cal.). He also contributed to the opposition to the defendants' motion to dismiss in *In re: Santa Fe Natural Tobacco Company Marketing and Sales Practices and Products Liability Litigation*, No. 1:16-cv-01394-JB-LF (D.N.M.) (motion denied in part), and to the plaintiffs' class certification motion in *Hasemann v. Gerber Products Co.*, No. 1:15-cv-2995-EK-RER (E.D.N.Y.) (class certified).

Mr. Granade received his juris doctorate from New York University School of Law in 2011. He received a master's degree from the University of Georgia at Athens in 2005 with distinction and a bachelor's degree from the University of Georgia at Athens in 2003, *magna cum laude* and with High Honors.

Mr. Granade is a member of the state bars of Georgia, New York, and California. He is also a member of the bars of the U.S. Courts of Appeals for the Second Circuit and Ninth Circuit, as well as the bars of the U.S. District Courts for the Eastern District of New York, Southern District of New York, Western District of New York, Northern District of New York, Southern District of Illinois, Northern District of Illinois, Northern District of California, Southern District of California, Central District of California, Eastern District of California, District of New Mexico, Northern District of Georgia, and Middle District of Georgia.

## **Charles D. Moore**

Mr. Moore is a partner at Reese LLP based in Minneapolis, Minnesota where he focuses on both consumer as well as employment class actions.

Mr. Moore has worked on a number of high profile class actions at Reese LLP as well as his prior firm where he worked as co-counsel with Reese LLP on numerous matters. His notable cases include *Marino v. Coach, Inc.*, Case No. 1:16-cv-01122-VEC (OTW) (Lead) (S.D.N.Y.) (involving deceptive reference pricing in the sale of outlet merchandise); *Raporport-Hecht v. Seventh Generation, Inc.*, Case No. 7:14-cv-09087-KMK (S.D.N.Y.) (involving the deceptive advertising of household products as “natural”); *Gay v. Tom’s of Maine, Inc.*, Case No. 0:14-cv-60604-KMM (S.D. Fla.) (involving deceptive advertising of personal care products as “natural”); *Frohberg v. Cumberland Packing Corp.*, Case No. 1:14-cv-00748-KAM-RLM (E.D.N.Y.) (involving deceptive advertising of food products as “natural”); *Baharenstan v. Venus Laboratories, Inc. d/b/a Earth Friendly Products, Inc.*, Case No. 3:15-cv-03578-EDL (N.D. Cal.) (involving deceptive advertising of household products as “natural”); *Sienkaniec v. Uber Technologies, Inc.*, Case No. 17-cv-04489-PJS-FLN (D. Minn.) (involving the misclassification of Uber drivers as independent contractors); *Dang v. Samsung Electronics Co.*, 673 F. App’x 779 (9th Cir. 2017) (*cert denied* 138 S. Ct. 203) (rejecting shrink-wrap terms in California for purposes of arbitration).

Mr. Moore is a member of the state bar of Minnesota. He is also a member of the bar of the U.S. District Court for the District of Minnesota. Mr. Moore received his juris doctorate from Hamline University School of Law in 2013, and his bachelor’s degree from the University of North Dakota in 2007.

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3 **EXHIBIT B**  
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## Firm Resume

Cole & Van Note ("CVN") is a boutique class action firm known for aggressive representation and impressive results in the areas of consumer fraud, data breach, environmental and employment litigation. Founded in 1992, CVN has been devoted primarily to such matters, having litigated hundreds of class actions against businesses of all types and in every industry imaginable. The members of CVN have vast experience prosecuting class/complex actions, both in a sole counsel capacity and in leadership positions, oftentimes among many firms, in California and nationwide litigation. They have published numerous scholarly articles dealing with various substantive issues as well as class action litigation/procedure, speak regularly at public events and/or to legal audiences, and have served as consulting experts in class action litigation. The firm has helped recover billions of dollars for tens of millions of workers and consumers, been involved in record-setting settlements and judgments and achieved the correction of numerous unlawful practices.

### SHAREHOLDERS/ASSOCIATES:

Scott Edward Cole, founder/shareholder, graduated from the University of San Francisco School of Law, practices in all California courts and has extensive leadership experience prosecuting cases in federal and state courts nationwide. Mr. Cole has authored numerous scholarly publications and serves as highly regarded guest lecturer on issues surrounding class action procedures and negotiation theory. Mr. Cole has been responsible for shaping the law in trial and appellate courts for decades, authored the book "Fallout" and is available to serve as a mediator of class action disputes.

Credentials: Admitted, California State Bar, December 1992; University of San Francisco School of Law, J.D., 1992; President, University of San Francisco Labor & Employment Law Society; San Francisco State University, B.A., Speech Communications (Individual Major in Rhetoric), 1989, Minor Study in Business Administration, 1989; Admitted, United States District Court for all California Districts and in numerous additional states; Admitted, United States Court of Appeals (6<sup>th</sup> and 9<sup>th</sup> Circuits). Additionally, Mr. Cole is a former National Association of Securities Dealers Registered Representative (Series 7) and is/has been a member of the Association of Trial Lawyers of America, California Employment Lawyers Association, American Bar Association,

Alameda County Bar Association (e.g., Vice Chair of ACBA's Labor & Employment Law Section Executive Committee), National Employment Lawyers Association and a U.S. Delegate to the InterAmerican Meeting of Labor and Trade Union Lawyers, Havana, Cuba (March 2012). Mr. Cole is also the author of "Fallout," a story based upon his experiences litigating after the 1994 airborne release of toxic chemicals by the Unocal Corporation (also used by various law schools in the curriculum for first year law students).

Laura Van Note, shareholder, is an aggressive and skilled advocate and leads the firm's hiring and career outreach efforts. A 2013 graduate of the University of Missouri, Kansas City School of Law, her practice has focused primarily on class action representation of data breach victims and in employment/civil rights litigation. With a near-perfect track record for results, Ms. Van Note appears in all California courts, is also licensed in Missouri and Kansas and maintains various professional affiliations.

Credentials: Member, State Bar of California (Admitted 2016), State Bar of Missouri (Admitted 2013), State Bar of Kansas (Admitted 2015); Admitted, Federal District Courts in California, Missouri, and Kansas. University of Missouri, Kansas City School of Law (2013, Order of the Barrister, Dean's List), Captain of the National Trial Advocacy Team, President of the American Constitutional Society for Law and Policy, Teaching Assistant to the Directory of Advocacy; Graduate, University of Missouri, Kansas City (Bachelor of Arts in History, Minor in French);

Elizabeth Ruth Klos, associate attorney, graduated from the University of Southern California Gould School of Law with a merit scholarship in 2022. During law school, Ms. Klos worked as a research assistant for the USC Law Library, while also achieving honors grades in courses such as Contracts, Labor Law, Torts, Mediation and Constitutional Law. Ms. Klos developed her passion for litigation through diverse experiences at the Hillsborough County Public Defender's office, a boutique family law practice in Los Angeles, and clerking under Judge Valerie Salkin at the Los Angeles Superior Court. At CVN, Ms. Klos utilizes her litigation experience in the areas of class action, consumer and data breach law.

Credentials: Admitted, California State Bar, December 2022; University of Southern California Gould School of Law, J.D., 2022; New College of Florida, B.A. in Liberal Arts (dual Area of Concentration in Political Science and History), 2016.

William Vollbrecht, associate attorney, graduated from the University of California, Davis School of Law (King Hall) with a merit scholarship in 2020. During law school he worked as a clerk at a boutique labor law practice and also clerked under Judge Mike Nakagawa at the United States Bankruptcy Court, District of Nevada. Prior to joining CVN, Wil practiced in wide range of areas, primarily focusing on labor disputes and civil rights claims. At CVN, Wil uses his litigation experience in the areas of class action, consumer, and data breach law.

Credentials: Admitted, California State Bar, May 2021; University of California, Davis school of Law, J.D., 2020; University of Missouri, Columbia, B.A. in Psychology and Sociology, 2017.

Alicyn Whitley, associate attorney, graduated from Golden Gate University's School of Law near the top of her class in 2018, receiving the Dean's Award for Scholarship and Leadership. While in school, Alicyn worked at numerous Bay Area law firms as well as the U.S. Department of Labor on various civil litigation matters and contract disputes. With her substantial background as an insurance defense attorney handling personal injury, construction defect and employment disputes, Alicyn brings a unique perspective and set of skills to the firm's consumer and employment class action practice.

Admitted, California State Bar, 2019; Golden Gate University School of Law, J.D., 2018; University of Nevada, Las Vegas, B.A. in Broadcast Journalism, 2013.

#### **CVN SCHOLARLY PUBLICATIONS (*Partial List Only*):**

Scott Edward Cole & Matthew Roland Bainer, *The Quest for Class Certification*, Employment Law Strategist (Sept. & Oct. 2003).

Scott Edward Cole & Matthew Roland Bainer, *To Be or Not to Be a Penalty: Defining the Recovery Under California's Meal and Rest Period Provisions*, Golden Gate U. L. Rev. (Spring 2005).

Scott Edward Cole & Matthew Roland Bainer, *To Certify or Not to Certify: A Circuit-By-Circuit Primer of the Varying Standards for Class Certification in Actions under the Federal Labor Standards Act*, B.U. Pub. Int. L.J. (Spring 2004).

Scott Edward Cole, *Kullar v. Footlocker Retail, Inc.: A New Standard for Class Action Settlement Approval*, CELA Bulletin (April 2009).

Matthew Roland Bainer, *Ninth Circuit Provides Much Needed Guidance on Evidentiary Burdens in Overtime Misclassification Litigation*, CELA Bulletin (May 2009).

Kevin Robert Allen, *Putting the "Rest" Back in Rest Break*, Alameda County Bar Association - Labor & Employment Section News (Autumn 2009).

Michael Scott Lubofsky, *Barristers to Blogs: Softening Ethical Restrictions in the Digital Age*, Los Angeles Daily Journal (June 14, 2010).

#### **REPRESENTATIVE CLASS ACTION AND COMPLEX CASES (*Partial List Only*):**

Our firm has represented, directly or indirectly, millions of individuals in thousands of legal disputes, including several hundred class actions and/or complex litigation cases. For three decades, the firm has amassed extensive experience litigating data breach, wage and hour, environmental, and other personal injury and commercial cases. Today, the firm almost exclusively prosecutes multi-state data breach class actions. Drawing from various areas of law, examples of the range of our practice include:

Augustus/Davis v. ABM Security Services, Inc (aka American Comm. Security Service, Inc.) Superior Court of California, County of Los Angeles, Case No. BC336416

Our firm filed this action for violations of California law for denial of meal and rest periods toward security guards. The action achieved class certification status in 2009. Following summary judgment proceedings, a judgment of over \$89 million was entered against the defendant(s). The judgment hinged on the issue of whether “on-duty” rest breaks were legally sufficient. After the Court of Appeal ruled against Plaintiffs on the issue, the case went to the California Supreme Court where Plaintiffs prevailed and, in so doing, created a new legal standard clarifying that “on-duty” rest breaks are invalid. After 12 years of litigation, a judgment and substantial appellate work, this matter resolved for \$110 million.

Bower, et al. v. Steel River Systems LLC

Illinois Fourteenth Judicial Circuit Court (Whiteside County), Case No. 2023-LA-000006

This action arose out of Steel River Systems’ 2022 data breach which affected numerous consumers and/or employees. This action has settled.

Bulow, et al. v. Wells Fargo Investments, LLC

United States District Court, Northern District of California, Case No. 3:06-CV-7924

This matter was filed as a nation-wide class action against Wells Fargo Investments, on behalf of its Financial Consultants to recover overtime pay, compensation for denied meal and rest periods (California only) and reimbursement for business related service and supply expenses (California only). This matter settled for \$6.9 million.

Cano, et al. v. United Parcel Service, Inc.

Superior Court of California, County of Alameda, Case No. RG03089266

This wage and hour complex litigation matter involved the alleged misclassification of overtime non-exempt Operations Management Specialists, Operational Excellence Specialists and/or Industrial Engineering Specialist at this company’s California facilities. This action settled in 2004 for \$4.5 million.

Chaidez, et al. v. Odwalla, Inc.

Superior Court of California, County of San Mateo, Case No. CIV430598

This wage and hour complex litigation matter involved the alleged misclassification of overtime non-exempt California Route Sales Representatives. CVN served as primary counsel for this proposed class of employees. This action settled for \$2.2 million.

CKE Overtime Cases

Superior Court of California, County of Los Angeles, Case No. BC283274 (JCCP No. 4274)

This class action was brought against fast food chain Carl’s Jr. for violations of California’s overtime laws on behalf of the company’s California restaurant chain Managers. The coordinated litigation settled for up to \$9.0 million in 2004.

Davis, et al. v. Universal Protection Security Systems, Inc., et al.

Superior Court of California, County of San Francisco, Case No. CGC-09-495528

Our firm filed a claim in 2009 against Universal Protection Security Systems, Inc. for violations of California law for denial of meal and rest periods toward security guards. This case settled in 2013 for \$4 million.

Despres (Cornn), et al. v. United Parcel Service, Inc.

United States District Court, Northern District of California, Case No. 3:03-CV-02001

This wage and hour class action litigation was brought to remedy violations of meal and rest period regulations on behalf of the company's California ground delivery drivers. CVN served as co-counsel for the certified class of drivers. This action settled for \$87 million, an unprecedented settlement amount for such claims.

Escow-Fulton, et al. v. Sports and Fitness Clubs of America dba 24 Hour Fitness USA, Inc.

Superior Court of California, County of San Diego County, Case Nos. GIC881669/GIC873193)

Our firm filed this class action on behalf of the company's California "Group X" Instructors to recover regular and overtime pay, related penalties and un-reimbursed expenses. The action achieved class certification status in 2009. In 2011, the parties agreed to settle the expense reimbursement claims for \$10 million. The parties then filed cross-motions for summary adjudication and on August 2, 2011, the court issued an Order finding 24 Hour Fitness' session rate compensation scheme to be an invalid piece rate. The parties then agreed to settle the unpaid wage claims for another \$9 million, and the summary adjudication order was vacated pursuant to settlement.

Fedorys, et al. v. Ethos Group, Inc.

United States District Court, Northern District of Texas, Case No. 3:22-cv-02573-M

This action arose out of Ethos Group's 2022 data breach which affected at least 267,000 consumers. Cole & Van Note was appointed co-lead class counsel.

Hakeem v. Universal Protection Service, LP

Superior Court of California, County of Sacramento, Case Nos. 34-2020-00286228-CU-OE-GDS; 34-201900270901-CU-OE-GDS

After an exhaustive multi-year process including venue transfer, consolidation, migration of litigants from one case to the other, multiple appeals and hard-fought litigation, these security guards class actions achieved a consolidated judgment for \$10 million.

Henderson, et al. v. Reventics, LLC

United States District Court, District of Colorado, Case No. 1:23-cv-00586-MEH

This action arose out of Reventics' massive 2022 data breach which affected, potentially, millions of patients, consumers and/or employees. Cole & Van Note was appointed co- lead class counsel.

Hinds v. Community Medical Centers

United States District Court, Eastern District of California, Case No. 2:22-cv-01207-JAM-AC

This action arose out of Community Medical Centers' massive data breach in 2021 which affected countless patients, consumers and/or employees. After reviewing competing requests for leadership over these consolidated actions, Cole & Van Note was appointed by the court to a co-lead counsel position.

In Re Walgreen Co. Wage and Hour Litigation

United States District Court, Central District of California, Case No. 2:11-CV-07664

Our firm served as court-appointed Lead Counsel after an adversarial hearing process in this consolidated action of nine lawsuits bringing a variety of wage and hour claims on behalf of California workers. The case settled for \$23 million.

In Re: Apple Inc. Device Performance Litigation

United States District Court, Northern District of California, Case No. 5:18-md-02827-EJD

Following Apple's December 2017 admission that it throttled back performance of its iPhones (versions 6, 6 Plus, 6s, 6s Plus, SE, 7, and 7 Plus) to mask the problem of defective batteries and unexpected iPhone shut-downs, Cole & Van Note filed a class action to recover damages for consumers nationwide. This action settled for \$500 million. Cole & Van Note served on the Plaintiffs' Steering Committee.

In Re: Rackspace Security Litigation

United States District Court, Western District of Texas, Case No. SA-22-cv-01296

This action arises out of Rackspace Technology's 2022 massive ransomware event which shut down functionality for tens of thousands of individuals and businesses across the United States and overseas. Cole & Van Note serves as court-appointed lead counsel for the nationwide class and representative plaintiffs from over 30 states.

In Re Tosco SFR Litigation

Superior Court of California, County of Contra Costa, Case No. C97-01637

During incidents on April 16, 1997, and January 7, 1998, the Tosco Refinery in Rodeo, California released airborne toxic chemicals. These harmful substances traveled into neighboring communities, seriously affecting the health of citizens and local workers. CVN served as Lead Counsel in this complex litigation and represented thousands of members of the community in that role. CVN settled this matter for \$2.5 million, the funds from which were disbursed to over 2,000 claimants who participated in the settlement.

In Re Unocal Refinery Litigation

Superior Court of California, County of Contra Costa, Case No. C94-04141

In response to Unocal's 16-day airborne release of chemicals over the County of Contra Costa in 1994, CVN filed a class action against the corporation on behalf of thousands of victims and thereafter served as one of a handful of firms (among dozens of law firms of record) on the Plaintiffs' Steering Committee. After hard-fought litigation, the matter eventually settled for

\$80 million. This case is the context for Mr. Cole's book "Fallout," published in 2018 (2605 Media LLC).

In Re Westley Tire Fire Litigation

Superior Court of California, County of Santa Clara, Case No. CV 801282

On September 22, 1999, lightning struck and ignited a pile of approximately 7 million illegally stored waste tires in Westley, California, a town about 70 miles east of San Francisco. Over the subsequent five weeks, the fire spewed smoke and carcinogens over a large portion of the State of California. CVN served as the (sole) Lead and (shared) Liaison Counsel over a Plaintiffs' Steering/Management Committee in the consolidated actions against the owners and operators of this tire pile and related entities. These cases sought compensation for those individuals and businesses suffering personal and/or property damages as a result of these toxic substances and the fire's fall-out. In 2001, CVN reached a settlement with one defendant (CMS Generation Co.) for \$9 million. In 2003, the Court granted final approval of the settlement. In 2005, two of the remaining defendants settled for roughly \$1.4 million (over \$10 million aggregate).

Kowarsky v. American Family Life Insurance Company

U.S.D.C. Western District of Wisconsin, Case No. 3:22-cv-00377

This case involves a data breach in which a flaw in the Defendant's website allowed cybercriminals to obtain driver's license numbers, at least some of which were subsequently used to fraudulently apply for government benefits.

Kullar v. Foot Locker, Inc.

Superior Court of California, County of San Francisco, Case No. CGC-05-447044

This action was brought on behalf of California employees allegedly forced to purchase shoes of a distinctive color or design as a term and condition of their employment and in violation of state law. After the Court approved a multi-million settlement, two separate appeals challenged the settlement, but the Court of Appeal affirmed the trial court's judgment. This case has now established in California what's known as the "*Kullar standard*" for court approval of class action settlements.

Lett v. TTEC

U.S.D.C. Northern District of California, Case No. 3:22-cv-00018

This action arose out of TTEC Service Corporation's massive data breach in 2021 which affected countless patients, consumers and employees. CVN helped negotiate a \$2.5 million maximum settlement for the class of victims.

Mambuki, et al. v. Securitas Security Services USA, Inc.

Superior Court of California, County of Santa Clara, Case No. 1-05-CV-047499 (JCCP No. 4460) Our firm filed a claim against this defendant for violations of California law (for denial of meal and rest periods) on behalf of the company's California-based security guards. This coordinated proceeding settled in 2008 for \$15 million.

Mendoza v. CaptureRx

United States District Court, Western District of Texas, Case No. 5:21-CV-00523-OLG

This class action against NEC Networks, LLC, d/b/a CaptureRx (“CaptureRx”), as well as Rite Aid and Community Health Centers of the Central Coast arising out of the massive data breach in 2021 which affected a minimum of 1.6 million people. The hacked information included sensitive personally identifiable information and personal health information. These consolidated cases settled in 2022 for a total value of at least \$4.75 million.

O'Brien v. Edward D. Jones & Co., LP.

United States District Court, Northern District of Ohio, Case No. 1:08-CV-00529

We filed a nation-wide (and New York State) class action against this financial securities company on behalf of the company’s financial services representatives to recover overtime pay and related penalties. CVN served on a Lead Counsel Committee in this action, which settled in 2007 for \$19 million.

Onyeige, et al. v. Union Telecard Alliance, LLC

U.S.D.C. Northern District of California, Case No. 3:05-CV-03971; MDL No. 1550

Our firm filed an action against Union Telecard Alliance, LLC alleging negligent misrepresentation and deceptive advertising practices related to its marketing of pre- paid telephone calling cards. This action settled for \$22 million.

John Prutsman, et al. v. Nonstop Administration and Insurance Services, Inc.

United States District Court, Northern District of California, Case No. 3:23-cv-01131-VC

This action arose out of Nonstop’s massive 2022 data breach which affecting consumers, employees and health care affiliates. Cole & Van Note was appointed co-lead class counsel.

Ramirez, et al. v. The Coca Cola Company, et al.

Superior Court of California, County of San Bernardino, Case No. RCV 056388 (JCCP No. 4280)

This is one of two companion actions CVN prosecuted against this soft drink giant for violations of California’s overtime laws. This action was brought on behalf of over 4,000 hourly workers at the company’s bottling, distribution and sales centers who were allegedly forced to work “off-the-clock” for Coca Cola and/or whose time records were ordered modified by the company. This well-publicized action settled for \$12 million and on very favorable terms for the claimants. CVN filed the first action on these issues and ultimately worked with co-counsel for the proposed class of workers.

Riordan, et al. v. Western Digital Corp.

U.S.D.C. Northern District of California, Case No. 5:21-CV-06074

This action arose out of the well-publicized widespread criminal data deletion of consumer hard drives in 2021. According to the lawsuit, the company knew of vulnerabilities in, at least, six of its products for years which ultimately led to the erasure of data for countless purchasers of these products. CVN serves as sole counsel for the victims.

Roman, et al. v. HanesBrands, Inc.

United States District Court, Central District of California, Case No. 5:22-cv-01770

This case involves a data breach of HanesBrands' network system in which personal health information was accessed and/or reviewed by cybercriminals.

Thomas, et al. v. Cal. State Auto. Assoc., et al.

Superior Court of California, County of Alameda, Case No. CH217752

Our firm filed this class action litigation on behalf of all California claims adjusters working for CSAA after mid-January 1997. This lawsuit alleged that, during those years, CSAA mis-classified these workers as exempt "administrators" and refused to pay them for overtime hours worked. This lawsuit settled for \$8 million. CVN commenced this action and served as co-counsel for the nearly 1,200 claims representatives.

Tierno v. Rite Aid Corporation

United States District Court, Northern District of California, Case No. 3:05-CV-02520

Our firm filed this action against Rite Aid Corporation on behalf of its salaried California Store Managers. It was alleged that defendant, purportedly the nation's third largest drug store chain, failed to pay overtime to those workers and denied them their meal and rest periods. In 2006, the federal court certified the class in this action, and approved a \$6.9 million non-reversionary settlement in 2009.

Tsvetanova v. Regents of the University of California, d/b/a U.C. San Diego Health Superior Court of California, County of San Diego, Case No. 37-2021-00039888-CU-PO-CTL

This action arises out of U.C. San Diego Health's massive data breach between December 2020 and April 2021 which affected countless patients, consumers and employees. After reviewing numerous requests for leadership over these consolidated actions, Cole & Van Note was appointed by the court to a co-lead class counsel position.

Ward v. Anderson McFarland & Conners LLC

Superior Court of California, County of Los Angeles, Case No. 20CV00611

Our firm filed this case in connection with a data breach that affected the information the firm's clients, adversarial parties, etc. This action has settled.

Witriol, et al. v. LexisNexis., et al.

U.S.D.C., Southern District of California, Case No. 3:06-CV-02360

Our firm filed an action against this company for its unlawful disclosure of private credit, financial and/or other personal information. This action settled for up to \$2.8 million.

Zuccherio v. Heirloom Roses, Inc.

U.S.D.C. Northern District of California, Case No. 4:22-cv-00068

CVN filed this case in connection with a 2021 data breach that hacked the information of the company's mostly online customers. This action has resolved.

**NOTABLE APPELLATE EXPERIENCE:**

CVN has substantial appellate experience, highlighted by the examples below. For other appellate and/or unreported opinions, please contact our firm.

Augustus, et al. v. ABM Security Services, Inc. (2016) 2 Cal.5th 257 (Case No. S224853)

Baddie v. Berkeley Farms, Inc. (9th Cir. 1995) 64 F.3d 487 (Case No. 93-17187)

Dunbar v. Albertson's, Inc. (2006) 141 Cal.App.4th 1422 (First Dist., Division 1, Case No., A111153)

In Re Certified Tired and Service Centers Wage and Hour Cases (Cal. Supreme Ct. Case No. S252517)

Kullar v. Foot Locker Retail, Inc. (2008) 168 Cal.App.4th 116 (Case No. A119697)

Montano v. The Wet Seal Retail, Inc. (2015) Not Reported in Cal.App.4th (2015 Cal. App. LEXIS 1199, Second District, Division 4, Case No. B244107)

O'Hara v. Factory 2-U Stores, Inc. (2003) Not Reported in Cal.Rptr.3d, 2003 WL 22451991 (First District, Division 4, Case No. A101452)

Taylor v. Park Place Asset Management, et al. (1999) (First Dist., Division 5, Case No. A086407)

Whiteway v. Fedex Kinko's Office and Print Services (9th Cir. 2009) 319 Fed.Appx. 688 (Case No. 07-16696)

**CONTACT INFORMATION:**

Cole & Van Note  
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Clarkson is a public interest law firm headquartered in Malibu, California. We represent individuals, groups, small businesses, non-profits, and whistleblowers in state and federal court, at trial and appellate levels, in class action and collective action cases, throughout California, New York, and the United States. Our growth and success is fueled by a culture that attracts brilliantly innovative, diverse attorneys who are driven by a shared purpose. With a long list of wins and high impact settlements— from contested class certification motions and appointments as/ class counsel, to prosecuting extensive and complex false advertising actions — our track record speaks for itself.

#representmore

## NOTABLE CASES

### Data Breach and Privacy Actions

*Baton v. Sas*, Case No. 21017036, 2022 U.S. App. LEXIS 33183 (9th Cir. Dec. 1, 2022) (reversal of district court's erroneous dismissal of data breach action on jurisdictional grounds).

*In Re: Samsung Customer Data Security Breach Litigation*, Civil Action No. 23-md-3055 (CPO)(EAP) MDL No. 3055 (class action against Samsung for data breach of millions of users' sensitive and confidential personally identifiable information, including Social Security numbers and geolocation data).

*In Re: Tik Tok Inc., Consumer Privacy Litigation*, MDL No. 2948 (represented hundreds of clients in connection with unauthorized transmission of private data, including unpublished private videos and images).

*B.K., et al. v. Tenet Healthsystem Medical Inc.*, Case No. 2:23-cv-5021 (C.D. Cal. June 23, 2023) (class action against medical providers for data privacy violations, including transmission of personally identifiable information and private health information to unauthorized third parties, such as Facebook).

*Salgado v. Regal Medical Group, Inc.*, Case No. 23STCV03393 (Los Angeles Co. Sup. Ct., Feb. 15, 2023) (class action against medical group for data breach of over 3.3 million patients).

*Hall, et al. v. Los Angeles Unified School District*, Case No. 23STCV04334, (Los

Angeles Co. Sup. Ct. Feb. 28, 2023) (class action against LAUSD for data breach compromising highly sensitive information, including minor students' medical and psychological assessments).

*Azar v. Housing Authority of the City of Los Angeles*, Case No. 23STCV11304, (Los Angeles Co. Sup. Ct. May 18, 2023) (class action against HACLA for data breach of thousands of individuals' passport numbers, financial information, social security numbers, and medical information).

## False and Deceptive Advertising Class Actions

*Prescott v. Bayer Healthcare, LLC*, Case No. 20-cv-00102-NC (N.D. Cal) (false labeling and advertisement of products as "Mineral-based"; Clarkson Law Firm appointed Class Counsel and final approval of \$2.25 million nationwide class settlement granted by Hon. Nathanael M. Cousins on December 15, 2021);

*Swetz v. GSK Consumer Health*, 2021 U.S. Dist. LEXIS 227208 (S.D.N.Y. Nov. 22, 2021) (false labeling and advertisement of products as "100% Natural" and "Clinically proven to curb cravings"; Clarkson appointed Class Counsel and final approval of \$6.5 million nationwide class granted by Hon. Nelson S. Roman on November 22, 2021);

*O'Brien and Kipikasha v. Sunshine Makers, Inc.*, San Bernardino Superior Court, Case No. CIVSB2027994 (Sept. 21, 2021) (false labeling and advertisement of products as "Non-Toxic"; Clarkson appointed Class Counsel and final approval of \$4.35 million nationwide class granted by Hon. David Cohn on September 21, 2021);

*Prescod v. Celsius Holdings, Inc.*, Los Angeles Superior Court, Case No. 19STCV09321, 2021 Cal. Super. LEXIS 8246 (Aug. 2, 2021) (false labeling and advertisement of products as having "No Preservatives"; class certification granted and appointment of Clarkson as Class Counsel by the Hon. Kenneth Freeman on August 2, 2021);

*Mateski, et al. v. Just Born, Inc.*, San Bernardino Superior Court, Case No. CIVDS1926742 (unlawful and deceptive packaging of movie theater box candy; appointment of Clarkson as Class Counsel and final approval of \$3.3 million nationwide class granted by Hon. David Cohn on December 15, 2020);

*Thomas v. Nestle USA, Inc.*, Los Angeles Superior Court, Case No. BC649863, 2020 Cal. Super. LEXIS 45291 (unlawful and deceptive packaging of box candy; class certification granted by Hon. Daniel J. Buckley on April 29, 2020);

*Escobar v. Just Born, Inc.*, Case No. 2:17-cv-01826-BRO-PJW (C.D. Cal.) (unlawful and deceptive packaging of movie theater box candy; class certification granted; appointment of Clarkson Law Firm as Class Counsel and final approval of \$3.3 million nationwide class granted by Hon. Judge

Terry J. Hatter, Jr. on December 15, 2020);

*Iglesias v. Ferrara Candy Co.*, Case No. 3:17-cv-00849-VC (N.D. Cal.) (unlawful and deceptive packaging of movie theater box candy products; Clarkson Law Firm appointed Class Counsel and final approval of \$2.5 million nationwide class granted by the Hon. Vince Chhabria on October 31, 2018);

*Tsuchiyama v. Taste of Nature*, Los Angeles Superior Court, Case No. BC651252 (unlawful and deceptive packaging of movie theater box candy; notice of settlement and stipulation of dismissal entered pursuant to final approval of nationwide class in related case *Trentham v. Taste of Nature, Inc.*, Case No. 18PG-CV00751 granted on October 24, 2018);

*Amiri, et al. v. My Pillow, Inc.*, San Bernardino Superior Court, Case No. CIVDS1606479 (Feb. 26, 2018) (United States certified class action settlement against a global direct-to-consumer novelty goods company for false advertising and mislabeling of a pillow product as able to cure ailments before the Hon. Bryan Foster; final approved and Clarkson appointed Class Counsel on February 26, 2018);

*Garcia v. Iovate et al.*, Santa Barbara Superior Court, Case No. 1402915. (false labeling and advertising of the popular “Hydroxycut” weight loss supplement; Clarkson Law Firm successfully intervened, and, along with the efforts of co-counsel, increased the size of the settlement by more than ten-fold to a total settlement value of over \$10 million);

*Morales, et al. v. Kraft Foods Group, Inc.*, 2015 U.S. Dist. LEXIS 177918 (C.D. Cal. June 23, 2015) (California class action against the world’s second largest food and beverage company for falsely advertising and mislabeling “natural” cheese, before the Hon. John D. Kronstadt; class certification and appointment of Clarkson as Class Counsel granted on June 23, 2015);

#### Other Notable Cases

*Skinner v. Ken’s Foods, Inc.*, Santa Barbara Superior Court Case No. 18CV01618 (June 28, 2019) (unlawful and deceptive packaging of salad dressing labels; \$403,364 in attorneys’ fee and expense awarded to Clarkson because lawsuit deemed catalyst for Ken’s label changes).

#### Other Notable Cases

*Fluoroquinolone Antibiotic Cases* – Mr. Clarkson was the first plaintiff attorney in the country to represent clients in connection with claims involving permanent and disabling nerve damage caused by Levaquin, Cipro, and Avelox manufactured by Johnson & Johnson and Bayer Pharmaceuticals. Mr. Clarkson represented dozens of clients across the country.

## OUR TEAM

### Ryan J. Clarkson

Mr. Clarkson is Managing Partner of Clarkson. Mr. Clarkson focuses his practice on public interest class and collective actions involving privacy, data misuse, unfair competition, false advertising, defective products, and illegal employment practices. Prior to founding Clarkson, Mr. Clarkson practiced consumer class action law at a prominent firm in Los Angeles, where he exclusively litigated consumer class actions against pharmaceutical companies, insurance carriers, food manufacturers, and other consumer goods manufacturers. Prior to that, Mr. Clarkson worked for over five years as an associate, summer associate, and law clerk at Dykema Gossett, PLLC.

Mr. Clarkson is admitted to the State Bars of California, Michigan, and New York. He is also a member of the bars of the United States District Courts for the Central, Northern, Southern, and Eastern Districts of California, the Eastern and Western Districts of Michigan, the Southern and Eastern Districts of New York, as well as the United States Courts of Appeals for the Ninth and Sixth Circuits.

Mr. Clarkson graduated from Michigan State University School of Law, summa cum laude in 2005 and graduated from the University of Michigan at Ann Arbor in 1999 with a B.A.

Mr. Clarkson is a member of the Board of Directors (emeritus) of the Los Angeles Trial Lawyers' Charities as well as a member of Consumer Attorneys of California, Consumers Attorneys Association of Los Angeles, American Association for Justice, and Public Justice.

### Shireen M. Clarkson

Ms. Clarkson is a Senior Partner at Clarkson. Ms. Clarkson focuses her practice on consumer class actions in the areas of food labeling, pharmaceutical drugs, cosmetics, exercise gear, supplements, and other consumer products. Prior to joining Clarkson, Ms. Clarkson practiced law at a prominent Southern California class action firm where she exclusively litigated consumer class actions and mass torts cases against pharmaceutical companies, insurance carriers, food manufacturers, and other consumer goods manufacturers.

Ms. Clarkson is admitted to the State Bar of California, the bars of the United States District Courts for the Central, Northern, Eastern, and Southern Districts of California, and the Ninth Circuit Court of Appeals.

Ms. Clarkson graduated from the University of California Hastings College of the Law in 2004. In 2000, Ms. Clarkson graduated with honors from University of California, Santa Barbara where she earned a B.A.

## Katherine A. Bruce

Ms. Bruce is a Partner at Clarkson. Ms. Bruce has a wide-ranging practice that includes class actions brought under California consumer protection laws for violations of the Song-Beverly Consumer Warranty Act, Consumers Legal Remedies Act, Unfair Competition Law, and False Advertising Law, among others; mass actions in multi-district litigations and similar state procedural devices; and complex financial, business, pharmaceutical, product defect, and insurance litigation. Ms. Bruce's experience involves handling cases that require the coordination of hundreds of depositions across the country, massive electronic discovery and document productions from, at times, hundreds of non-parties, and numerous counsel and parties to efficiently and expeditiously resolve matters. Having prosecuted cases on behalf of consumers and injured parties, as well as defended cases on behalf of local, national, and worldwide companies, in jurisdictions across the country, she has developed an in-depth understanding of the practical realities of litigation from both ends of the spectrum. Ms. Bruce specializes in complex law and motion practice, often involving issues of first impression and matters that impact hundreds of claims. Ms. Bruce has also tried several cases to verdict.

Ms. Bruce is admitted to the State Bar of California, and the bars for the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California.

Ms. Bruce graduated from Southwestern Law School, *magna cum laude*, in 2012. While in law school, Ms. Bruce was a board member and competitor for the interscholastic Trial Advocacy Honor Program, writer for the interscholastic Moot Court Honors Program, associate editor for the Southwestern Law Review, and served as a research assistant, teaching assistant, and dean's fellow for several professors. Ms. Bruce received several scholarships and awards, including the CALI Excellence for the Future Award and Witkin Award for Academic Excellence in several classes. Prior to entering law school, Ms. Bruce earned a B.A. in Criminology, Law, and Society.

## Bahar Sodaify

Ms. Sodaify is a Partner at Clarkson Law. Ms. Sodaify focuses her practice on consumer class actions in the areas of food labeling, cosmetics, and other consumer products. Prior to joining Clarkson, Ms. Sodaify was a litigation associate at a Southern California personal injury firm. Ms. Sodaify was actively involved at all stages of litigation and fought vigorously against insurance companies, multimillion-dollar corporations, and government entities, and helped recover millions of dollars for her clients. Ms. Sodaify dedicated a majority of her practice to preparing and attending hearings for minors who had been injured in an accident.

Ms. Sodaify is admitted to the State Bar of California, the bars of the United States District Courts for the Central, Northern, and Southern Districts of California, and the Ninth Circuit Court of Appeals.

Ms. Sodaify graduated from Southwestern Law School in 2012, where she was a member of Southwestern's Journal of International Law and The Children's Rights Clinic. In 2009, Ms. Sodaify graduated from University of California, Los Angeles, summa cum laude where she earned a B.A.

## Glenn A. Danas

Mr. Danas is a Partner at Clarkson Law Firm. Mr. Danas concentrates on appellate, class action and PAGA litigation. Prior to joining Clarkson, Mr. Danas was a partner at Robins Kaplan LLP in Los Angeles, where he worked on a range of appellate litigation matters across the country, mostly on the plaintiff's side. Prior to that, Mr. Danas was partner at one of the largest wage and hour plaintiff's class action firms in California, where he became well known for having argued and won multiple cases in the California Supreme Court and the Ninth Circuit, including *Iskanian v. CLS Transportation*, 59 Cal. 4th 348 (2014), *McGill v. Citibank, N.A.*, 2 Cal. 5th 945 (2017), *Williams v. Super. Ct. (Marshalls of CA, LLC)*, 3 Cal. 5th 531 (2017), *Gerard v. Orange Coast Memorial Medical Center*, 6 Cal. 5th 443 (2018), *Brown v. Cinemark USA, Inc.*, 705 F. App'x 644 (9th Cir. Dec. 7, 2017), and *Baumann v. Chase Investment Services Corp.*, 747 F.3d 1117 (9th Cir. 2014).

Mr. Danas has received numerous awards, including having been named as one of the Top 20 Lawyers Under 40 in California (Daily Journal), one of the Top 100 Lawyers in California (Daily Journal), received the California Lawyer Attorney of the Year (CLAY) award, and one of the Top 500 Civil Rights Lawyers in the country (Law Dragon, 2021 and 2022).

Mr. Danas is admitted to practice in California, and is also a member of the bars of the United States Supreme Court, the United States Courts of Appeals for the Second, Third, Eighth and Ninth Circuits, and the United States District Courts for the Central, Northern, Southern, and Eastern Districts of California.

Mr. Danas graduated from Emory University School of Law, *with honors* in 2001, and was a board member of the Emory Law Journal. Mr. Danas also graduated from Cornell University in 1998 with a B.S. in Industrial and Labor Relations. Following law school, Mr. Danas was a law clerk to the Hon. U.W. Clemon, Chief Judge of the Northern District of Alabama. Mr. Danas entered private practice as an associate at Shearman & Sterling LLP in New York City, where he worked primarily on antitrust and securities litigation.

Mr. Danas is a bar-certified specialist in Appellate Law. He is also a member of the Executive Committee for the CLA Labor and Employment Section; on the CLA Committee on Appellate Courts; one of the members of Law360's Editorial Advisory Panel for Appellate Litigation, and a member of LACBA's State

Appellate Judicial Evaluation Committee, helping evaluate new appellate judicial appointments for the Governor.

## Christina M. Le

Christina M. Le is a Partner at Clarkson Law Firm, and a seasoned legal practitioner focused on championing the rights of employees and individuals in employment and class action matters. Ms. Le specializes in handling a wide range of employment claims in state and federal courts, including wrongful termination, pay and overtime, workplace retaliation, discrimination and harassment, accommodations, leaves of absence, separation, severance, and more. Ms. Le is also experienced in handling class action claims involving employment, wage and hour, consumer, product liability, and business fraud issues.

Since she started practicing law in 2005, Ms. Le has been a powerful advocate for her clients. Ms. Le first started her career as a defense attorney, working for several prominent local and national firms. Ms. Le later transitioned to plaintiff-side work, where she found her true calling as an advocate for employees and individuals, as she was representing the same kinds of people she grew up with. Ms. Le is now focused solely on helping her clients fight the same big companies she used to represent. Her knowledge from working on the defense side gives her special insight that she uses to her clients' strategic advantage. With a track record of success and a commitment to empowering those in need, Ms. Le brings results to the table, obtaining multi-million dollars in recovery for her clients in employment and other plaintiff side matters.

Ms. Le graduated from Loyola Law School in 2004 and the University of California, Berkeley, in 1999. Ms. Le is admitted to the State Bar of California, the United States District Courts for the Central, Northern, Southern, and Eastern Districts of California, as well as the United States Courts of Appeals for the Ninth Circuit.

Ms. Le is a member of the National Employment Lawyer's Association, California Employment Lawyer's Association, Consumer Attorneys Association of Los Angeles, Los Angeles County Bar Association, and Vietnamese Bar Association of Southern California. Ms. Le is often called upon by these organizations to speak as an expert in employment and class action topics. Ms. Le is also a Board Member of the West Los Angeles Chapter of the Red Cross.

## Timothy K. Giordano

Mr. Giordano is Partner at Clarkson. Mr. Giordano focusing his practice on consumer and other class and collective actions in securities, antitrust, civil rights, and employment law. Prior to joining Clarkson, Mr. Giordano

worked at prominent defense firm Skadden, Arps, Slate, Meagher & Flom LLP, as well as leading media, technology, and financial data company, Bloomberg L.P., in New York City.

Mr. Giordano also served as a law clerk for the Honorable Frank M. Hull on the U.S. Court of Appeals for the Eleventh Circuit, counseling on a wide range of federal appellate matters.

Mr. Giordano is admitted to the State Bars of New York and New Jersey. He is also a member of the bars of the United States District Courts for the Southern and Eastern Districts of New York, and the District of New Jersey.

Mr. Giordano received his law degree from Emory University School of Law, where he graduated first in his class.

Mr. Giordano has taught communication and persuasion as an adjunct professor and has served on various fiduciary and advisory boards, including as a member of the executive committee of the American Conference on Diversity, a nonprofit dedicated to building more just and inclusive schools, communities, and workplaces. Additionally, he is chairman of the board at the College of Communication and Information at Florida State University.

## Yana Hart

Ms. Hart is a Partner at Clarkson. Ms. Hart has always had a passion for helping individuals to access the justice system. After graduating with a J.D. as the Valedictorian of her class in 2015, Ms. Hart volunteered countless hours with various legal clinics, including the San Diego Small Claims Legal Advisory, El Cajon Legal Clinic, and San Diego Appellate Clinic.

Prior to joining Clarkson, Ms. Hart worked for a prominent class action law firm in San Diego. During that time, Ms. Hart has litigated over 300 consumer cases (inclusive of class actions and complex individual cases), focusing on the Fair Debt Collection Practices Act, Fair Credit Reporting Act, California Invasion of Privacy Act, Telephone Consumer Protection Act, and many other federal and California consumer statutes. Ms. Hart was able to obtain numerous favorable decisions, published on Lexis and/or Westlaw.

Several of Ms. Hart's legal articles were also published. Ms. Hart's article "*The Impact of Smith v. LoanMe on My Right to Privacy Against Recording Telephone Conversations*" was published in the Gavel magazine by the Orange County Trial Lawyers Association in October 2020. On March 30, 2021, Ms. Hart's article "Stopping Collection Abuses in Medical Debt" was published in Forum Magazine by the Consumer Attorneys of California.

Ms. Hart is admitted to the State Bars of California, Florida, and D.C. Ms. Hart is admitted in every district court in California, and the Ninth Circuit Court of Appeals.

Ms. Hart graduated *summa cum laude* from Cabrini College in 2012, with a Bachelor of Science in Business Administration. Ms. Hart is fluent in Russian.

## Tracey Cowan

Ms. Cowan is a Partner at Clarkson. Ms. Cowan is head of the Sexual Assault practice area. She has managed hundred of cases involving sexual assault, harassment, and exploitation across the country. Her experience ranges from rider and driver cases in the rideshare space, to cases against celebrities, to child sexual assault matters against major institutions and religious organizations. She feels passionately about amplifying voices of survivors and achieving justice for the most marginalized members of our society.

Outside of the sexual assault practice, Ms. Cowan works on matters involving fertility negligence and fraud, civil rights issues, financial crimes disputes, and complex civil litigation. Ms. Cowan was previously a Partner at Peiffer Wolf in San Francisco, where she helped pioneer the embryo loss practice group, a burgeoning area of the law. She served as counsel on many of the most publicized cases in this practice area, working closely with plaintiffs, witnesses, and experts to vindicate her clients' rights. Her work in this sphere spans the gamut of IVF clinic misconduct, from switched embryo cases to embryo loss and destruction. Prior to working at Peiffer Wolf, Ms. Cowan was an associate in the San Francisco office of one of the largest international corporate law firms. There, her practice focused on complex civil litigation, competition matters, and civil rights issues.

Ms. Cowan graduated from Northwestern University School of Law with honors and on the Dean's List. She was the Submissions Editor for the *Northwestern Journal of Technology and Intellectual Property*. While at Northwestern, she worked as a volunteer mediator, certified through the Center for Conflict Resolution, for the Cook County Court System. A passionate advocate for prisoner's rights, Ms. Cowan also successfully petitioned for the release of a parolee under the Illinois C-Number Program. Prior to that, Ms. Cowan graduated with honors from New York University, where she was the recipient of the Hillary Citrin Award for an Honors Thesis of Outstanding Excellence. She also worked at New York University in the Psychology department as a research scientist and lab manager and has been published multiple for her work in the field of visual perception.

As an experienced litigator, Ms. Cowan has been quoted in dozens of national and international publications, including CNN.com and Sing Tao USA. She has also made multiple television appearances including on FOX, ABX, and CBS. In 2019, Ms. Cowan received the Unity Award from the Minority Bar Coalition for her work with the Jewish Bar Association of San Francisco.

Ms. Cowan is admitted to the State Bar of California. She is also a member of the United States District Courts for the Central, Northern, Southern, and Eastern Districts of California and the Ninth Circuit Court of Appeals.

## Celine Cohan

Ms. Cohan is a Senior Associate at Clarkson. Ms. Cohan focuses her practice on consumer class actions in the areas of food labeling, cosmetics, and other consumer products. Prior to joining Clarkson, Ms. Cohan was a litigation associate at a labor and employment firm where she successfully litigated wage and hour cases, discrimination, sexual harassment, and other employment related matters. Ms. Cohan is actively involved at all stages of litigation and fights vigorously against corporate wrongdoers helping to recover millions of dollars for her clients.

Ms. Cohan is admitted to the State Bar of California and the bars of the United States District Courts for the Central, Northern, and Eastern Districts of California.

Ms. Cohan graduated from Loyola Law School in 2011, where she graduated in the top 25% of her class. In 2008, Ms. Cohan graduated from University of California, Los Angeles, where she earned a B.A. in Political Science and History.

## Alan Gudino

Alan Gudino is a Senior Associate Attorney at Clarkson. Mr. Gudino focuses his practice on consumer class actions in the areas of food labeling, cosmetics, and other consumer products. Before joining Clarkson, Mr. Gudino litigated auto fraud and lemon law cases under the California Consumers Legal Remedies Act and the California Song-Beverly Consumer Warranty Act. Prior to that, Mr. Gudino litigated consumer class actions under the Telephone Consumer Protection Act, Fair Debt Collection Practices Act, Fair Credit Reporting Act, and other federal and California consumer statutes.

Mr. Gudino is admitted to the State Bar of California and the bars of the United States District Courts for the Central, Northern, Eastern, and Southern Districts of California, and the Ninth Circuit Court of Appeals.

Mr. Gudino earned his law degree from the University of San Diego School of Law, and he graduated with a degree in Political Science from the University of California, Santa Barbara. While in law school, Mr. Gudino earned the CALI Excellence for the Future Award in torts and the Witkin Award for Academic Excellence in legal research and writing. He was a member of the *San Diego International Law Journal* and a judicial extern for Associate Justice Terry B. O'Rourke of the California Court of Appeal, Fourth Appellate District, Division One. Following law school, Mr. Gudino worked as a law clerk to Associate Judge Kenneth L. Govendo of the Superior Court for the Northern Mariana Islands. Mr. Gudino is fluent in Spanish.

## Zarrina Ozari

Zarrina Ozari is a senior associate attorney at Clarkson. Ms. Ozari has extensive experience in employment law, including single-plaintiff and class action litigation. She has a proven track record of obtaining favorable results for her clients in discrimination, sexual harassment, and retaliation cases. Ms. Ozari also represents employees in wage and hour class action litigation. She handles all aspects of case management, from pre-litigation to trial. With a steadfast dedication to serving clients, Ms. Ozari holds individuals and employers accountable for their actions while ensuring her clients receive the maximum recovery available to them. In 2023, Ms. Ozari was honored as a "Rising Star" for her dedication to defending employees' rights.

Prior to joining Clarkson, Ms. Ozari worked for prominent employment discrimination law firms in California and New York. During that time, she litigated employment discrimination matters and obtained numerous favorable results for her clients.

Ms. Ozari is admitted to the State Bars of California and New York, and the United States District Courts for the Central and Eastern Districts of California and the Eastern, Northern, and Southern Districts of New York.

Ms. Ozari earned her law degree in 2017 from The George Washington University Law School, and she graduated in the top 5 percent of her class from Russian-Tajik University in 2010 with her Bachelor of Arts.

Ms. Ozari is a member of the San Francisco Trial Lawyers Association and the California Women Lawyers Association.

Ms. Ozari is fluent in Russian. She is also currently learning Spanish.

## Lauren Anderson

Lauren Anderson is a Senior Associate Attorney at Clarkson. Ms. Anderson focuses her practice on consumer class actions and other multi-party litigations in the areas of deceptive labeling of beauty and wellness products, as well as technology, data usage, and consumer rights.

Ms. Anderson is admitted to the State Bar of California and the bars of the United States District Courts for the Central, Northern, and Eastern Districts of California.

Ms. Anderson earned her law degree in 2019 from the University of Southern California Gould School of Law. During law school, Ms. Anderson served for two years in the Student Bar Association. In 2015, Ms. Anderson earned her Bachelor of Arts degree in English from the University of Pennsylvania.

## Kelsey Elling

Kelsey Elling is a Senior Associate Attorney at Clarkson. Ms. Elling focuses her practice on consumer class actions and other multi-party litigations in the areas of deceptive advertising and labeling. Prior to joining Clarkson, Ms. Elling was a litigation associate at a defense firm where her practice focused on employment and local government law.

Ms. Elling is admitted to the State Bar of Virginia and the State Bar of California, as well as the bars of the United States District Courts for the Central, Northern, Eastern, and Southern Districts of California.

Ms. Elling graduated from Michigan State University College of Law in 2019 with her law degree. During law school, she was a member of the school's distinguished Trial Practice Institute, Articles Editor on the Michigan State International Law Review, a member of the Civil Rights Clinic, and a teaching assistant for Constitutional Law. She graduated with her Bachelor of Arts in Social Work from Delta State University in 2015.

## Tiara Avaness

Tiara Avaness is an Associate Attorney at Clarkson. Ms. Avaness focuses her litigation practice on consumer class actions in the area of unfair business practices, deceptive marketing, and data breach. Ms. Avaness focuses her mass arbitration practice in the area of consumer privacy.

Ms. Avaness is admitted to the State Bar of California and the bars of the United States District Courts for the Central and Northern Districts of California.

Ms. Avaness earned her law degree in 2021 from the University of Southern California Gould School of Law. While in law school, she was a member of the Hale Moot Court Honors Program, worked in the Medical-Legal Community Partnership Clinic, and secured a business law certificate with an emphasis in real estate. She was also a teaching assistant for Contract Drafting and Strategy, Corporate Governance, Health Law and Policy, and Regulatory Compliance. Ms. Avaness graduated with her Bachelor of Arts in Philosophy, Bachelor of Business in Business Administration, and minor in political science from the University of San Diego in 2018.

## Katelyn Leeviraphan

Katelyn Leeviraphan is an Associate Attorney at Clarkson. Ms. Leeviraphan focuses her litigation practice on consumer class actions through appellate advocacy in the area of unfair business practices and deceptive marketing.

Ms. Leeviraphan is admitted to the State Bar of California, the United States Court of Appeals for the Second and Ninth Circuits, and the United States District Court for the Central District of California.

Ms. Leeviraphan earned her Juris Doctor from the Pepperdine Caruso School of Law in 2022. She was a Faculty Scholars member, Editor-in-Chief of the Pepperdine Dispute Resolution Law Journal, and a co-chair and active competitor for the Pepperdine Interschool Moot Court Team. After her 1L year, Katelyn served as a judicial extern in the Central District of California for the Honorable John A. Kronstadt. Prior to law school, Ms. Leeviraphan received her Bachelor of Arts degree in Communication at the University of Oklahoma.

### Ryan Ardi

Ryan Ardi is an Associate Attorney at Clarkson. Mr. Ardi focuses his litigation practice on consumer class actions in the area of deceptive advertising and labeling.

Mr. Ardi is admitted to the State Bar of California and the bars of the United States District Courts for the Central and Northern Districts of California.

Mr. Ardi pursued his Juris Doctorate at Pepperdine Caruso School of Law, graduating Cum Laude in 2022. Prior to law school, Mr. Ardi received his Bachelor of Arts degree in Psychology from the University of California, Los Angeles, graduating Summa Cum Laude in 2019.

### Valter Malkhasyan

Valter Malkhasyan is an Associate Attorney at Clarkson. Mr. Malkhasyan focuses his litigation practice on consumer class actions in the area of deceptive advertising and labeling.

Mr. Malkhasyan is admitted to the State Bar of California and the bars of the United States District Courts for the Central and Northern Districts of California.

Mr. Malkhasyan earned his Juris Doctor from Loyola Law School in 2022. While at Loyola, he completed the school's Civil Litigation and Advocacy Concentration Program and served as an editor of Loyola Law Review. Prior to law school, Mr. Malkhasyan received his Bachelor of Science degree in Business Administration from the University of Southern California.

### Samuel Gagnon

Samuel Gagnon is an Associate Attorney at Clarkson. Mr. Gagnon focuses his litigation practice on consumer class actions in the areas of false and deceptive advertising and labeling.

Mr. Gagnon is admitted to the State Bar of New York and the United States District Court for the Southern District of New York.

Mr. Gagnon earned his Juris Doctor from the University of Connecticut School of Law in 2023. While at UConn Law, he was a member of the Moot Court Board, served as a Notes and Comments Editor for the Connecticut Law Review, and served as a judicial intern in the District of Connecticut for the Honorable Magistrate Judge S. Dave Vatti. Mr. Gagnon placed first in the William H. Hastie Moot Court Competition and received the CALI Excellence Award in Legal Practice – Interviewing, Counseling, and Advocacy. Mr. Gagnon also completed the New York Pro Bono Scholars Program through working at the Hartford Public Defender's office. Prior to law school, Mr. Gagnon earned his Bachelor of Science degree in Business Administration at Eastern Connecticut State University where he was a member of the baseball team.

### Olivia Davis

Olivia Davis is an Associate Attorney at Clarkson Law Firm. Ms. Davis works within Clarkson's Sexual Assault and Fertility Negligence practice area, which assists a wide range of victims of negligence and abuse. Specifically, Ms. Davis works to vindicate the rights of riders and drivers in the rideshare space, children and adults who were sexually assaulted in various religious and correctional institutions, and families that have had their fertility journeys impacted by wrongdoing.

Ms. Davis is admitted to the State Bar of California and the bar of the United States District Court for the Northern District of California.

Ms. Davis graduated cum laude from the Pepperdine Caruso School of Law in 2023. At Pepperdine Law, she was a member of the Interschool Moot Court team and was an Editor of the Pepperdine Dispute Resolution Law Journal. Prior to Pepperdine, Ms. Davis attended the University of California, Santa Barbara, where she graduated with high honors and earned Bachelor of Arts degrees in both English and Philosophy.

### Michael Boelter

Michael Boelter is an Associate Attorney at Clarkson Law Firm. Mr. Boelter's practice is focused primarily on appellate and consumer litigation. Michael's class action experience includes consumer protection and false advertising claims, data breach cases, complex litigation and MDLs, and remedying the abuse of AI in healthcare.

Mr. Boelter is admitted to the State Bar of California.

After receiving his B.A. in Philosophy from UC Berkeley, Mr. Boelter completed his Juris Doctor from Pepperdine Caruso School of Law, graduating cum laude

in 2023. While at Pepperdine, Mr. Boelter served as an editor of the Pepperdine Law Review and obtained a certificate in entertainment, media, and sports. After his 1L year, Mr. Boelter joined Clarkson as a law clerk, and has been steadfast in his defense of consumers' rights since.

## Meg Berkowitz

Meg Berkowitz is an associate attorney at Clarkson, primarily working on the pre-litigation development of false advertising cases. Equipped with a Juris Doctor from NYU School of Law and graduating with a B.A. in Global Studies with the highest honors from UCSB, she brings a formidable blend of strong writing, analytical, and oral advocacy skills to her practice. She works directly with clients to investigate claims against corporations that illegally exploit consumers for profit in a variety of industries.

Ms. Berkowitz's commitment to justice extends beyond corporate malfeasance. She is passionate about prisoners' rights and is actively involved in several of Clarkson's pro-bono initiatives, such as Homeboy Industries' mission to expunge records of formerly gang-involved individuals striving to rebuild their lives.

Ms. Berkowitz is admitted to the State Bar of California.

Ms. Berkowitz is fluent in French and loves to learn. She often finds herself deep in a Wikipedia rabbit hole, and she also enjoys hiking with friends, going to art museums, and attending NHL games.

## Adam Rosen

Adam Rosen is an Associate Attorney at Clarkson Law firm. Mr. Rosen focuses his litigation practice on consumer protection, mass torts, and personal injury class actions. Specifically, Mr. Rosen has worked to hold Big Tech accountable for deceptive and harmful practices, including perpetuating addiction and lying to users.

Mr. Rosen is admitted to the State Bar of California.

After receiving his B.A. in International Relations and Theology from Tufts University, Mr. Rosen earned his juris doctor from the University of California, Los Angeles School of Law in 2023. While at UCLA, Mr. Rosen served as the Editor in Chief of the Journal of Islamic and Near Eastern Law, worked as a Teaching Assistant for UCLA's Anderson School of Management, and joined Clarkson part time during his 3L year, as a law clerk.

Mr. Rosen is fluent in Hebrew.

# Exhibit D

**Proposed Case Management Plan:**

Event	Proposed Date
<b>Appointment of Settlement Class Counsel</b>	Expected May 2024
<b>Settlement Negotiations</b>	Stay Continued for 45 days after anticipated initial CMC/Hearing on Motions for Appointment of Settlement Class Counsel or Interim Lead Class Counsel
<b>Proposed Protective Order and ESI Protocol</b>	21 days after the Court enters an order appointing interim lead counsel
<b>Consolidated Complaint</b>	45 days after the Court enters an order appointing interim lead counsel
<b>Answer or Motion to Dismiss</b>	30 days after filing Consolidated Complaint
<b>Deadline for Plaintiffs' Opposition to Motion to Dismiss</b>	30 days after filing of Motion to Dismiss
<b>Deadline for Defendant to File Reply In Support of Motion to Dismiss</b>	14 days after filing of Plaintiffs' Opposition to Motion to Dismiss
<b>Hearing on Motion to Dismiss</b>	At such time designated by the Court in accordance with applicable local rules
<b>Rule 26(a) Initial Disclosures</b>	21 Days after Ruling on Motion to Dismiss
<b>Fact Discovery Commences</b>	14 days after service of Initial Rule 26(a) Disclosures
<b>Fact Discovery Cutoff</b>	180 days after Initial Rule 26(a) Disclosures
<b>Expert Witness Disclosures</b>	30 days after Fact Discovery Cutoff
<b>Expert Discovery Cutoff</b>	60 days after Expert Witness Disclosures
<b>Deadline for Plaintiffs to file Motion for Class Certification</b>	180 days after a ruling on the Motion to Dismiss
<b>Deadline for Defendant to file Opposition to Motion for Class Certification</b>	30 days after deadline for Plaintiffs' Motion for Class Certification
<b>Deadline for Plaintiffs to File Reply In Support of Motion for Class Certification</b>	30 days after filing of Defendant's Opposition to Motion for Class Certification
<b>Deadline for Daubert Motions</b>	60 days after deadline for Defendant to file Opposition to Motion for Class Certification
<b>Deadline for Response to any Daubert Motions</b>	45 days after deadline for Daubert Motions
<b>Plaintiffs' Reply in Support of</b>	45 days after deadline for Daubert Motions

<b>Motion for Class Certification</b>	
<b>Hearing on Class Certification</b>	At such time designated by the Court